IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WP(C).No. 23455 of 2007(P)

PETITIONER:

K.K.MOHANAN, S/O.KOCHUKUTTAN,
KOOKUR HOUSE, ELAVALLI SOUTH P.O.,
ELVALLI VILLAGE,THRISSUR DISTRICT.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS
SECRETARY,HOME DEPARTMENT,SECRETRIAT,
THIRUVANANTHAPURAM.

2. SUB INSPECTOR OF POLICE,
PAVARATTY POLICE STATION,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KEALA,ERNAKULAM.

3. SUPERINTENDENT OF POLICE,
THRISSUR.

BY GOVERNMENT PLEADER SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J

W.P(C).No.23455 of 2007

Dated this the 19th day of October, 2007

ORDER/JUDGMENT

Petitioner is the husband of a woman, aged about 43 years, who is allegedly found missing from 29.06.07. The petitioner is a carpenter by profession working at Dubai. He and the missing woman are legally married and there are 3 children in the wedlock. During the absence of the petitioner, his wife along with the children was residing at his parental house. She was found missing from 29.06.07. Her brother had promptly lodged an F.I statement and a crime 342 of 2007 of Pavaratty Police Station was registered under the caption `woman missing'. Investigation is in progress. All efforts taken so far by the police have not been successful.

2. The petitioner, in these circumstances, has come to this Court with a prayer that the investigation may be entrusted to more competent and efficient hands who have better resources and opportunity to investigate the crime effectively. The counsel, in short, prays that the investigation may be entrusted to any superior officer of another wing/agency.

3. Notice was given. The present Investigating Officer has filed a statement. In the statement, except to say that all efforts are

being taken, it appears that the present investigator is no where near the successful attainment of the target in the investigation.

4. Having considered all the relevant circumstances, I find it only to be appropriate to direct the 1st respondent to entrust the investigation to a senior police official of the district preferably of the C.B.C.I.D not below the rank of a Deputy Superintendent of Police. Necessary orders to this effect must be passed within a period of one month from this date by the official concerned and compliance shall be reported to this Court.

Hand over a copy of this order to the learned Public Prosecutor.

(R.BASANT, JUDGE)

rtr/-